

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
)  
W.R. GRACE & CO., *et al.*, ) Case No. 01-1139 (JJF)  
) Jointly Administered  
Debtors. )  
) **Objection Date: December 20, 2001 @ 4 p.m.**  
) **Hearing Date: Only if objections filed**  
)

**THIRD MONTHLY FEE APPLICATION OF L TERSIGNI CONSULTING P.C.,  
FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES, AS  
ACCOUNTANT AND FINANCIAL ADVISOR TO THE OFFICIAL COMMITTEE OF  
ASBESTOS PERSONAL INJURY CLAIMANTS OF W.R. GRACE & CO.,  
FOR THE PERIOD OCTOBER 1, 2001 THROUGH NOVEMBER 1, 2001**

Name of Applicant: L Tersigni Consulting P.C.

Authorized to Provide Professional Services to: The Official Committee of Asbestos Personal Injury Claimants

Date of retention: June 13, 2001, *nunc pro tunc* to April 12, 2001

Period for which compensation and reimbursement is sought: October 1, 2001 through November 1, 2001

Amount of compensation sought as actual, reasonable and necessary: \$9,869.00 (80% of \$12,336.25)

Amount of expense reimbursement sought as actual, reasonable and necessary: \$2,036.35

This is a:   X   monthly        interim        final application.

L Tersigni Consulting P.C.'s time and requested compensation in preparing this Application will appear on a subsequent application.

If this is not the first application filed, disclose the following for each prior application:

		Requested		Approved	
Date Filed	Period Covered	Fees	Expenses	Fees	Expenses
9/21/01 (First Interim)	4/12/01 through 7/31/01	\$16,986.25	\$1,037.07	Pending	Pending
9/28/01	8/1/01 through 8/31/01	\$27,927.60 (80% of 34,909.50)	\$2,551.74	Pending	Pending
10/30/01	9/1/01 through 9/30/01	\$767.00 (80% of \$958.75)	\$43.80	Pending	Pending

**SUMMARY OF COMPENSABLE TIME OF PROFESSIONALS  
AND PARA-PROFESSIONALS FOR BILLING PERIOD  
OCTOBER 1, 2001 TO NOVEMBER 1, 2001**

<b>Name, Position, Years of Experience</b>	<b>Hours Billed</b>	<b>Hourly Rate</b>	<b>Amount of Fee</b>
Loreto T. Tersigni, Managing Director, 30+ years	16.00	\$395.00	\$6,320.00
Michael Berkin, Managing Director, 7 years	13.00	\$395.00	\$5,135.00
Patrick McArdle, Director, 7+ years	2.00	\$300.00	\$600.00
Dottie-Jo Collins, Manager, 20+ years	1.25	\$225.00	\$281.25
<b>Total/average</b>	<b>32.25</b>	<b>\$382.52</b>	<b>\$12,336.25</b>

**EXPENSE SUMMARY**

<b>Expense Category</b>	<b>Provider, if applicable</b>	<b>Total Expenses For the Period October 1, 2001 through November 1, 2001</b>
Telephone		\$139.51
Xerox (\$0.10 per page)		\$37.18
Postage		\$3.36

Round trip airfare from New York to Baltimore, MD		\$1,751.50
Taxi to and from Baltimore, MD airport		\$74.00
Car mileage to West Chester County Airport and Parking for same		\$28.80
<b>Total:</b>		<b>\$2,036.35</b>

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Debtors.	) Jointly Administered
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**THIRD MONTHLY FEE APPLICATION OF L TERSIGNI CONSULTING P.C.,  
FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES, AS  
FINANCIAL ADVISOR AND ACCOUNTANT TO THE OFFICIAL COMMITTEE OF  
ASBESTOS PERSONAL INJURY CLAIMANTS OF W.R. GRACE & CO.,  
FOR THE PERIOD OCTOBER 1, 2001 THROUGH NOVEMBER 1, 2001**

Pursuant to 11 U.S.C. §§ 330 and 331, Rule 2016 of the Federal Rules of Bankruptcy Procedure, and the Administrative Order Under 11 U.S.C. §§105(a) and 331 Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Committee Members (the "Administrative Order"), the consulting firm of L Tersigni Consulting P.C. hereby submits this third monthly application ("Third Monthly Application") for compensation for professional services rendered as accountant and financial advisor to the Official Committee of Asbestos Personal Injury Claimants (the "P.I. Committee") of the Debtor, W.R. Grace & Co., *et al.* (the "Debtors"), in an amount of \$9,869.00 (80% of \$12,336.25) together with reimbursement of L Tersigni Consulting P.C.'s actual and necessary expenses incurred in the amount of \$2,036.35 for the period commencing October 1, 2001 through and including November 1, 2001 (the "Period"). In support of this Third Monthly Application, L Tersigni Consulting P.C. respectfully represents as follows:

**I. JURISDICTION**

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1334.

## **II. BACKGROUND**

2. On April 2, 2001 (the "Petition Date"), the Debtors filed voluntary petitions for relief under Chapter 11 under Title 11 of the United States Code (the "Bankruptcy Code").

3. From the Petition Date through the date of this Third Monthly Application, the Debtors have continued to operate their businesses and manage their properties as debtors-in-possession, pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

4. On April 12, 2001, the Office of the United States Trustee appointed the P.I. Committee pursuant to section 1102 of the Bankruptcy Code.

5. On May 4, 2001, 2001 the P.I. Committee filed and served its Application of the Official Committee of Asbestos Personal Injury Claimants to Retain and Employ L Tersigni Consulting P.C. (the "Retention Application"). Through the Retention Application, the P.I. Committee sought authorization to employ L Tersigni Consulting P.C. as accountant and financial advisor, effective as of April 12, 2001. On June 13, 2001, the Court entered the Order of Court Pursuant to 11 U.S.C. § 327(a) and Fed. R. Bank. P. 2014(a), 2016 and 5002, Authorizing the Employment and Retention of L Tersigni Consulting P.C. as Accountant and Financial Advisor to the Official Committee of Asbestos Personal Injury Claimants, *nunc pro tunc* to April 12, 2001.

## **III. RELIEF REQUESTED**

6. Through this Third Monthly Application, L Tersigni Consulting P.C. seek allowance and payment of \$9,869.00 (80% of \$12,336.25) in fees for services rendered during the Period and reimbursement of \$2,036.25 for reasonable and necessary expenses incurred during the Period. Thus, L Tersigni Consulting P.C. seeks allowance and payment in the total amount of \$14,372.60.

7. L Tersigni Consulting P.C. have received no payment and no promises for payment from any source for services rendered during the Period in connection with the case. There exists no agreement or understanding between L Tersigni Consulting P.C. and any other person for the sharing of any compensation to be received for services rendered by L Tersigni Consulting P.C. in the case.

8. All services for which compensation is requested by L Tersigni Consulting P.C. pursuant to this Application were performed for or on behalf of the P.I. Committee in this case.

9. This is L Tersigni Consulting P.C.' Third Monthly Application.

#### **IV. SUMMARY OF SERVICES RENDERED**

10. L Tersigni Consulting P.C. has maintained detailed records of the time spent as accountant and financial advisor for the P.I. Committee during the Period. Attached hereto as Schedule A and Schedule B and incorporated herein by reference are true and correct copies of the monthly summaries prepared for the services rendered in this case by L Tersigni Consulting P.C. (the "Summaries"). The Summaries are in the same form regularly used by L Tersigni Consulting P.C. to bill its clients for services rendered and include the date that the services were rendered, a detailed, contemporaneous narrative description of the services, the amount of time spent for each service and the designation of the professional who performed the service.

11. As set forth on Schedule A, L Tersigni Consulting P.C. rendered 32.25 hours of professional services during the Period, resulting in legal fees totaling \$9,869.00 (80% of \$12,336.25) and associated reasonable and necessary expenses totaling \$2,036.35.

12. Set forth below are the rates for the expenses incurred by L Tersigni Consulting P.C. for which reimbursement is requested pursuant to this Third Monthly Application, as well as the basis for such rates for the identified expense items:

a) Computer and research charges: pass through on an exact cost basis all computer-assisted research charges; and

b) Travel Charges and Courier Service charges: pass through on an exact cost basis all travel services, e.g., airfare, lodging, taxis and the cost of courier service.

c) Long Distance Telephone Charges: These charges are based on an analysis of the costs incurred in connection with services rendered on behalf of the P.I. Committee. L Tersigni Consulting P.C. does not pass through to its client's expenses or charges related to incoming phone calls.

d) Copy charges: L Tersigni Consulting P.C. charges 10 cents per page for copies and such charge is based on an analysis of the cost to L Tersigni Consulting P.C. to make a copy; Out-going facsimile charges: L Tersigni Consulting P.C. charges \$0.50 for each page. These charges are based on an analysis of the cost to L Tersigni Consulting P.C. to send facsimile transmissions. L Tersigni Consulting P.C. do not pass through to its client's expenses or charges related to incoming facsimile transmissions.

13. Attached hereto as Schedule B and incorporated herein by reference is a summary by category of the expenses incurred by L Tersigni Consulting P.C. Further supporting documentation is available upon request.

14. The general areas in which L Tersigni Consulting has rendered professional services to the P.I. Committee during the Period in the Case may be broadly categorized as follows:

a) preparing on behalf of the P.I. Committee necessary financial analysis, valuation of enterprise value and operating forecasts;

b) monitoring the Debtors' actual operating performance and financial condition; and

c) performing consulting services for the P.I. Committee as necessary and proper in these proceedings.

15. The generality of the foregoing description is amplified on a day-to-day basis by Schedule A and Schedule B.

16. On May 3, 2001, the Court entered the Administrative Order, which set forth a procedure for compensating professionals on an interim basis. The Administrative Order allows interim compensation at a rate of 80 percent (80%) of fees and 100 percent (100%) of expenses and specifically provides that all fees and expenses received remained subject to the Court's final allowance. Thus, through this Third Interim Application, L Tersigni Consulting P.C. seeks payment of \$9,869.00 (80% of \$12,336.25) in fees and \$2,036.35 in expenses. A Notice of Third Monthly Application will be filed and served on all parties requesting notice under Bankruptcy Rule 2002 and the Third Monthly Application will be served on the parties specified in the Administrative Order.



**V. ALLOWANCE OF COMPENSATION**

17. If no objections are filed on or before December 20, 2001, payment of \$9,869.00 (80% of \$12,336.25) in fees and \$2,036.35 in expenses will be allowed after L Tersigni Consulting P.C. files a Certificate of No Objection in accordance with the Administrative Order.

L TERSIGNI CONSULTING P.C.

/s/ Loreto T. Tersigni

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Accountant and Financial Advisor for the  
Official Committee of Asbestos Personal Injury  
Claimants

Dated: November 30, 2001